

Exhibit 17

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

[1] MISTY WHITE,)
[2] JERMAINE BRADFORD,)
[3] JANARA MUSGRAVE,)
[4] LONDON PROUDFIT,)
[5] BRADLEY BARBER, JR., and)
[6] DAKOTA KAPPUS,)

On behalf of themselves and all)
others similarly situated, and)

[7] OKLAHOMA STATE)
CONFERENCE, NAACP,)

Plaintiffs,)

v.)

[1] HON. PAUL HESSE, in his official)
capacity as presiding District Court)
Judge,)

[2] HON. JACK MCCURDY,)
in his official capacity as District Court)
Judge,)

[3] HON. BARBARA HATFIELD,)
[4] HON. CHARLES GASS,)

[5] HON. KHRISTAN STRUBHAR, in their)
official capacities as Special District)
Judges in the Canadian County District)
Court, and)

[6] CANADIAN COUNTY DISTRICT)
COURT, 26TH JUDICIAL DISTRICT,)

Defendants.)

Case No. _____
(Class Action)

Hon. _____

**DECLARATION OF TWYLA CARTER IN SUPPORT OF PLAINTIFFS' MOTION FOR
CLASS CERTIFICATION**

I, Twyla Carter, hereby declare under penalty of perjury:

1. I am a Senior Staff Attorney with the Criminal Law Reform Project (“CLRP”) at the American Civil Liberties Union Foundation (“ACLU”), where I have worked full time since 2017. I am one of the attorneys for the named Plaintiffs and the putative Class members in this case. I submit this Declaration in support of the motion for class certification.

2. I was first licensed in 2007 and have continuously practiced law since that time.

3. I am co-counsel of record in five class actions: *Bairefoot et al v. Beaufort South Carolina, City of et al*, No. 9:17-cv-02759-RMG (D. South Carolina, Oct. 12, 2017); *Mock et al v. Glynn County, Georgia et al*, No. 2:18-cv-00025-RSB-BWC (S.D. Georgia, March 9, 2018); *Booth v. Galveston County et al*, No. 3:18-cv-00104 (S.D. Texas, April 8, 2018); *Ross et al v. Blount et al*, No. 2:19-cv-11076-LJM-EAS (E.D. Mich. April 14, 2019); *Allison et al v. Allen et al*, No. 1:19-cv-01126-NCT-LPA (M.D.N.C. November 12, 2019).

4. I have developed substantial experience related to the constitutionality of bail procedures. For example, *Mock*, referenced above, included a challenge to a Georgia judicial system of wealth-based, pretrial detention without counsel for misdemeanor and felony arrestees. Earlier this year, we reached a settlement with the judge and county that ended this practice.

5. ACLU National has assigned two highly qualified attorneys to litigate this case: Mr. Brandon Buskey and myself.

6. Brandon Buskey is the Deputy Director of Smart Justice Litigation with the Criminal Law Reform Project (“CLRP”) at the American Civil Liberties Union Foundation (“ACLU”), where he has worked full time since 2012.

7. Mr. Buskey was first licensed in 2007 and has continuously practiced law since that time.

8. Mr. Buskey has been lead, co-lead, or co-counsel of record in eleven class actions: *Hester v. Gentry*, No. 5:17-cv-00270-MHH (N.D. Alabama, April 9, 2018); *Booth v. Galveston County et al*, No. 3:18-cv-00104 (S.D. Texas, April 8, 2018); *Mock et al v. Glynn County, Georgia et al*, No. 2:18-cv-00025-RSB-BWC (S.D. Georgia, March 9, 2018); *Daves et al v. Dallas County et al*, No. 3:18-cv-154 (N.D. Texas, January 21, 2018); *Ayo v. Dunn*, No. 17-cv-00526 (M.D. La. Aug. 8, 2017); *Edwards v. Cofield*, No. 17-CV-321 (M.D. Ala. May 18, 2017); *Yarls v. Bunton*, No. 3:16-cv-31-JJB-RLB (M.D. La. Jan. 14, 2016); *Burks v. Scott County*, No. 3:14-cv-745-HTW-LRA (S.D. Miss. Sept. 24, 2014); *Hill v. Snyder*, No. 5:10-CV-14568 (E.D. Mich. Nov. 17, 2010); *Ross et al v. Blount et al*, No. 2:19-cv-11076-LJM-EAS (E.D. Mich. April 14, 2019); *Allison et al v. Allen et al*, No. 1:19-cv-01126-NCT-LPA (M.D.N.C. November 12, 2019).

9. Mr. Buskey has developed substantial experience related to the constitutionality of bail procedures. For example, *Burks*, referenced above, included a challenge to a Mississippi judicial circuit's system of wealth-based, pretrial detention without counsel for felony arrestees. Last year, we reached a settlement with the judges and counties of the circuit that ended this practice.

10. CLRP also coordinates with and consults with ACLU affiliate offices around the country on potential bail reform and litigation efforts in states such as Alabama, Arizona, Colorado, Florida, Hawaii, Louisiana, Michigan, Mississippi, Montana, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas and Washington.

11. The ACLU has spent substantial time and effort to investigate this case and to understand how the Canadian County criminal court system functions. This includes working with the legal team to review and discuss jail records, interviews with individuals detained under the bail system in Canadian County, and substantial research on Oklahoma's constitutional and statutory protections for pretrial liberty.

12. The ACLU is prepared to contribute significant resources to represent the class in this case. Plaintiffs' counsels have paid for all costs associated with this litigation to date and will continue to do so.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 2nd day of December 2019.



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